

## REMARKS

Reconsideration of the application is respectfully requested. In this application, Claims 1-23 are pending. Claims 1 and 15 are independent.

In the Office Action, Claims 1 and 4-14 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 5,517,507 ("*Needham et al.*") in view of U.S. Patent No. 5,878,277 ("*Ohta*"). Claim 2 was rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Needham* in view of *Ohta* and further in view of U.S. Patent No. 5,995,496 ("*Honkasalo et al.*"). Claims 3 and 15-23 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Needham* in view of *Ohta* and *Honkasalo*, and further in view of U.S. Patent No. 6,108,530 ("*Ayabe et al.*").

The present application discloses a method for transmitting user data on a reverse common channel in a mobile communication system without a reverse dedicated channel. The user data is divided into a plurality of segmented messages if the user data is longer than a data segment in a frame of the reverse common channel. The plurality of segmented messages are then transmitted in the data segments of consecutive frames on the reverse common channel. It is then determined whether a base station has received each of the segmented messages.

In Code Division Multiple Access (CDMA) systems, the reverse link includes physical channels such as common reverse channels and dedicated reverse channels. The common reverse channels further include a reverse access channel, reverse enhanced access channel, and reverse common control channel. The dedicated reverse channel further includes a reverse pilot channel, reverse supplemental channels, a reverse dedicated control channel, and a reverse fundamental channel. In operation, there may be many unique ways of utilizing these channels.

As indicated above, independent Claims 1 and 15 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Needham* in view of *Ohta*, and under 35 U.S.C.

§103(a) as allegedly being unpatentable over *Needham* in view of *Ohta* and *Honkasalo*, and further in view of *Ayabe*, respectively. Claims 1 and 15 are respectively directed to a method of transmitting user data on a reverse common channel with a reverse dedicated channel released, comprising, inter alia, *designating the reverse common channel to the reverse dedicated channel*, and a method for receiving messages via consecutive frames on *a designated reverse common channel*.

Although the Examiner now cites *Ohta* as disclosing this designating of the reverse common channel to the reverse dedicated channel, it is respectfully submitted that *Ohta* does not disclose *designating the reverse common channel to the reverse dedicated channel*. Rather, the Examiner even states that *Ohta* teaches a communication system having at least two types of communication channels, one of which is a dedicated channel and the other of which is a common communication channel. Further, *Ohta* teaches that a control unit selects one of these channels in response to a communication request. In the present invention, as recited in independent Claims 1 and 15, the reverse common channel is used as a dedicated channel. However, in *Ohta*, the control unit selects either the dedicated channel or the common channel. Therefore, it is respectfully submitted that *Ohta* does not teach *designating the reverse common channel to the reverse dedicated channel*, as disclosed in claims 1 and 15 of the present application.

Further, *Needham* is completely silent with respect to the reverse common channel and the reverse dedicated channel or how these different channels are utilized during the communication or uplink transmission. In addition, *Honkasalo* and *Ayabe* do not disclose what *Needham* and *Ohta* fail to disclose. Accordingly, it is respectfully submitted that Claims 1 and 15 are not obvious over *Needham*, *Ohta*, *Honkasalo*, and *Ayabe*, alone or in combination.

Because Claims 2-14 and 16-23 depend from Claims 1 and 15, respectively, it is respectfully submitted that these claims are also patentable for at least the same foregoing reasons.

Applicants believe that claims 1-23 are in condition for allowance. If the Examiner has any questions regarding this communication or feels that an interview would be helpful in prosecuting this application, the Examiner is requested to contact the undersigned attorney.

Respectfully submitted,



Paul J. Farrell

Reg. No. 33,494

Attorney for Applicant(s)

DILWORTH & BARRESE, LLP  
333 Earle Ovington Boulevard  
Uniondale, New York 11553  
516-228-8484  
PJF/DMO/lah